



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

[Handwritten signature]

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,049	08/11/2000	Fan Zhou	FORE-67	7201

7590 07/07/2004

Ansel M. Schwartz
One Sterling Plaza
Suite 304
201 N. Craig Street
Pittsburgh, PA 15213

EXAMINER

MOORE, IAN N

ART UNIT PAPER NUMBER

2661

DATE MAILED: 07/07/2004

[Handwritten number 10]

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/637,049

Applicant(s)

ZHOU ET AL.

Examiner

Ian N Moore

Art Unit

2661

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-21.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


KENNETH VANDERPUYE
PRIMARY EXAMINER

Continuation of 2. NOTE: The new limitation are introduced in rejected claims 1, 2,5,6,7,9,10,11,12,16,19,20, and 21 which raised the new issues, and it requires additional search for further consideration. In particular, in claims 1, 2,5,6,7,9,10,11,12,16,19,20, and 21, the limitation "a port card" is amended to "port cards", which indicate there are more than one card receiving and processing the packets. In claim 5, the new limitation "as stripes" is introduced, which indicates that the fragments of the packets are now sending as stripes. In claim 7, the new limitation "received at each fabric" is added, which indicates that the packets are now receiving at each fabric. In claims, 7, 9, 10,11 and 12, the limitation "the packet" is amended to "each packet", which indicates that there are more than one packets.

Continuation of 5. does NOT place the application in condition for allowance because: the combined system of Cisneors, Gaddis, and Koehler still disclose the claimed invention (i.e. claims 1 and 14) of a port card (see Cisneros FIG. 3A, Interface Module 210) which receives packets from and sends packets to a network, fabrics (FIG. 5, Cisneros Self routing cross-point planes 550s), and fabrics connected to port card (see Cisneros FIG. 5, cross-points planes are connected to a port card), a fabric having a memory mechanism (see Gaddis FIG. 3, ATM Ethernet portal hardware having dual--ported share memory 24, control microprocessor 20, DMA controller 26 and ATM cell processor), fabric having a mechanism for determining the length of packet (see Gaddis, FIG. 5, a length of arriving Ethernet frame), sending strips of corresponding fragments of each packet (see Koehler, FIG. 1, Splitting Circuitry 16 sending splitted/stripped packets to functional circuits 26 and 28) and other limitations as recited in final office action..